

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10507 of 2015

Arising Out of PS.Case No. -95 Year- 2014 Thana -MOKAMAH District- PATNA

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Binod Yadav S/o Jageshwar Yadav Resident of Village Mekra, P.S.
Mokama, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Uday Prasad

For the Opposite Party/s : Mr. M. Haque (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-05-2015

Heard both sides.

The petitioner seeks regular bail in a case registered under Section 307 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant named nine persons in the F.I.R. and alleged that the accused persons made indiscriminate firing. Petitioner Binod Yadav opened fire which hit in the abdomen of Manoj Yadav. It is submitted that there is omnibus and general allegation of firing. The occurrence took place at 8:00 O'clock in the night. Manoj Rai got one fire arm injury and he was advised for X-ray but the X-ray report is not brought on record. Manoj Yadav @ Manoj Rai made his statement in Para 56 of the case diary. He disclosed that he got injury and he was treated in Patna by a private doctor, but the final opinion of the doctor about the

nature of injury has not been brought on record. The petitioner is in jail since 15.09.2014. The petitioner has already remained in jail for more than eight months.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ashutosh Kumar, Judicial Magistrate, 1st Class, Barh, Patna in Mokama P.S. Case No. 95 of 2014.

(Prabhat Kumar Jha, J)

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